

April 12, 2021

To: Maine State Legislature, Committee on Inland Fisheries and Wildlife
From: Jim Ahearne, Freeport, Maine
Re: LD 89 - An Act to Regulate Airboats

Good morning Committee Members,

I am writing today to express opposition to “LD 114 - An Act To Address Airboat Operation in the State” and support for “LD 89 – An Act to Regulate Airboats.” I base my testimony on my personal experience as a resident of Freeport, Maine and on my professional experience managing sound levels in the concert business, an industry in which I worked for over 20 years.

The unrestricted sound levels of airboats that communities in Maine have been subjected to in recent years is profoundly disturbing to area residents and wildlife. It has become a common experience to be awakened well before 6:00 a.m. to the full-throttle deafening sound of airboats. Airboats can be as loud as airplanes, and because they operate on water, their sound travels far and wide.

I am grateful to the committee and legislature for contemplating bills with the intention of providing better management of this noise.

The prescriptions detailed in “LD 114 - An Act To Address Airboat Operation in the State” are insufficient. Specifically, the sound limits of 90 dbA during daytime hours and 75 dbA over night at shoreline are too loud. By comparison, 90db is rock-concert loud. Many jurisdictions limit sound levels in concert venues to similar levels. For outdoor venues, a special permit is generally required if sound levels will meet or exceed 90db at the property line of the venue. No community would willfully permit a live concert venue to set up shop and broadcast music into its neighborhoods at 90db anytime of the day the venue prefers. By permitting 90db sounds at anytime during the day, LD 114 would essentially be sanctioning rock-concert level sound levels along the entire coast of Maine.

As a reference, I submit here two examples from the City of Portland, Maine’s sound ordinance. I am highlighting the zones in the city where the highest sound levels are permitted. Both of these are industrial working zones, “Industrial (I-Hb)” and “Waterfront Central (WCZ).” There are exceptions to these levels for temporary events, such as emergency sirens and such, but as for generally permitted day-in and day-out sounds, these are the standards:

Industrial (I-Hb)

Maximum permissible sound levels: The maximum permissible sound level of any continuous, regular or frequent source of sound produced by an activity shall be as follows:

- a. **Seventy-five (75) dBA** between the hours of 7:00 a.m. and 10:00 p.m.
- b. **Fifty-five (55) dBA** between the hours of 10:00 p.m. and 7:00 a.m., as measured at or within the boundaries of any residential zone.

Waterfront Central (WCZ)

The level of sound, measured by a sound level meter with frequency weighting network (manufactured according to standards prescribed by the American National Standards Institute, Inc.), inherently and recurrently generated within the waterfront central zone shall not **exceed seventy-five (75) decibels** on the A scale at the boundaries of any lot, except for sound from construction activities, sound from traffic on public streets, sound from temporary activities such as festivals, and sound created as a result of, or relating to, an emergency, including sound from emergency warning signal devices.

Note the maximum level is 75 dBA during the day and 55 dBA at night.

“LD 89 – An Act to Regulate Airboats” provides for a much more reasonable standard that will provide for continued operation of airboats as needed while respecting the impact on the environment and communities that their sound has when they are run at excessive noise levels.

LD 89 calls for 80 dbA by day and 65 dbA by night at the shoreline. This is a significant improvement.

I am tremendously grateful for the natural resources we have in Maine and I want to ensure we as a people manage these resources in a manner that is sustainable to both the natural wildlife and systems we rely upon and to the people whose livelihood depends upon these healthy natural environments. I appreciate the committee’s consideration of this issue and do hope you support the more realistic, humane, and environmentally sound standards of LD 89.

Sincere regards,

Jim Ahearne
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